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Dearborn Heights

March 13, 2007

Cities back combining courts to shave costs

Darren A. Nichols / The Detroit News

Leaders in Garden City and Dearborn Heights are supportive of a plan that will combine the district courts in both cities, mostly as a cost-saving measure.

While the plan is still in its infancy, leaders said the potential move could reduce costs, shed caseloads and bring in additional state revenue sharing.

"We're more than willing to explore the possibility to the extent that it's beneficial and helps both communities," said Dearborn Heights Mayor Daniel Paletko. "We certainly will be all for it. I certainly encourage it, and we'll always look at the possibilities."

State Rep. Bob Constan, D-Dearborn Heights, said he'll pursue legislation to combine the 20th District Court in Garden City and 21st District Court in Dearborn Heights.

Consolidation of services is among the initiatives Michigan communities are considering to save money. Gov. Jennifer Granholm has called for a 2.5 percent boost in revenue sharing to local governments that consolidate services.

Dearborn Heights, which is in good financial health, stands to get a revenue sharing boost of about \$115,000, according to Constan. It already has trimmed costs \$1 million annually during the past three years. It has also increased its revenue by selling excess city property. Garden City, which ran a \$1.8 million deficit last year, will have its state share cut by \$100,000.

Garden City, which ran a \$1.8 million deficit last year, will have its state revenue sharing increased by \$57,486 if the deal – and the governor's budget – comes together.

Under the plan, Garden City's court, which has a significantly lower caseload, would move its one judge into the newer facility in Dearborn Heights. That would reduce security and administrative costs, said Garden City Manager David Harvey. Last year, the city had to spend \$250,000.

Last year, the city had to spend \$250,000 to support the court, he said.

"In good times, it's not a problem, but the court is not going to see that revenue," Harvey said. "From a money management (standpoint), it's a good thing. This is about what's right and the state is stepping up to the plate" to combine the courts.

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Proposal would merge 2 cities' courts

Move could ease their financial woes

March 13, 2007

BY CECIL ANGEL

FREE PRESS STAFF WRITER

A bill that would combine the district courts in Garden City and Dearborn Heights, helping the coffers of both cities, has been resurrected with the hope that a Democratic Party-controlled House might give it a better chance.

Under the bill, the 20th District Court in Dearborn Heights, which has two judges, and the 21st District Court in Garden City, which has one judge, would be dissolved, and a new 20th District Court covering both cities would be created. It would be based at the court facility in Dearborn Heights.

The bill's sponsor, Rep. Bob Constan, D-Dearborn Heights, said Monday that the proposal never made it out of committee in June when his predecessor, Rep. Jim Plakas, introduced a similar bill. Constan blamed a Republican-controlled House that would not allow the bill out of committee.

The bill has 40 cosponsors and Constan estimates that it would take two to three years for the actual merger. The plan also would have to go through the Senate and the two cities would have to reach an intergovernmental agreement with details such as how much Garden City would pay.

Judge Richard Hammer Jr., of the 21st District Court that has a staff of seven, said that Constan didn't discuss the proposal with him and there are many uncertainties.

"There's been no study. We don't really know what this is going to mean," Hammer said Monday. "Who's going to stay? Who's going to go?"

He acknowledged that he has a smaller caseload than many courts and that the court doesn't generate as much money from traffic tickets as other cities.

Garden City's City Manager David Harvey said Monday that Garden City had a \$1.8-million deficit last year and expects a deficit of half that size this year. Harvey said the court is a financial burden on the city and it spends \$250,000 more than it takes in.

"I'd rather not lose our court, but I don't want to close our parks and recreation center, our library."

Gov. Jennifer Granholm has proposed boosting revenue-sharing funds by 2.5% for cities that merge services. Dearborn Heights would gain additional \$115,030 and Garden city, \$57,486.

Contact **CECIL ANGEL** at 313-223-4531 or angel@freepress.com.

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Bill again proposes merger of Garden City, Dearborn Heights district courts

BY LEANNE ROGERS
STAFF WRITER

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In the wake of the governor's call for local governments to cut costs by sharing services, a bill has been introduced to merge Garden City and Dearborn Heights district courts.

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Communities that band together to share services and save money would receive additional funding under the governor's plan.

"Dearborn Heights and Garden City only stand to gain by combining these two courts," Constan said.

The plan would merge Garden City's 21st District Court, which has a single judge,

Richard Hammer Jr., with the two-judge 20th District Court.

An initial effort was made to consolidate the courts last year but the bill didn't make it out of committee before the legislative term ended.

"I'm pleased that he (Constan) presented the bill again. This is not an issue between the city and 21st District Court," said City Manager David Harvey, who has supported the merger. "It's a money issue. The city has to subsidize the gap between the court expenses and revenues. Last year, that was over \$250,000."

It was hard to comment on the proposal since he hadn't been contacted about it by Constan or Harvey, Hammer said.

"I'm just here doing my job. There are a lot of factors to be taken into account," he said. "No one has talked to us about the cost factor. There has been no study on the cost savings – it might cost more. Without a study, no one knows -- it's wild speculation."

Other factors to be considered, Hammer said, are that the judge is the only full-time elected official in Garden City. It's also a 10-mile round trip to the Dearborn Heights district court, he said, adding time and expense for anyone with business at court.

"Local representation is not something you want to give away. Daimler thought merging with Chrysler was a good idea at the time," Hammer said. "Not all mergers are a good idea. We should always keep an open mind. There are factors other than costs."

As local governments and schools are being asked to cut spending, Harvey said the state needs to apply the same process to their operations, in particular the courts.

"The (21st District) court has half the caseload of what's normal for judges in the area," Harvey said. "Combining with the 20th District Court makes sense. They have an empty courtroom and the number of cases would bring them more in line with what other courts handle."

Additionally, the courts would realize a cost-savings from a combined staff and security, Harvey said. While 21st District Court recently added some security equipment and hired part-time security staff, Harvey said the city can't afford to provide the type of security that exists in the much newer courthouse in Dearborn Heights.

The governor's proposed budget would increase revenue sharing funds by 2.5 percent for municipalities that consolidate services. Based on that proposal, Garden City would receive an additional \$57,486 and Dearborn Heights would get \$115,030.


"As we work to get Michigan back on track, we must cut costs wherever possible," Constan said. "Combining courts is fiscally responsible, and it's the right thing to do in these tough times. It's a win-win situation for our residents in both Dearborn Heights and Garden City."

Agreeing, Harvey said Garden City doesn't have enough crime to justify a full-time court – a positive for the city – and traffic citations have been declining for several years.

"Officers aren't having to write as many tickets – citations were down 14 percent last year," Harvey said. "We've lost eight police officers due to budget cuts, so it's about impossible for them to write that many tickets."


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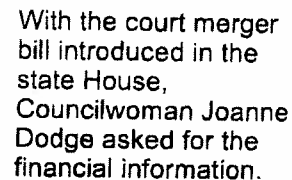
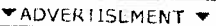
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BY LEANNE ROGERS
STAFF WRITER

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"We need to sit down with the judges and get the facts and figures," she said. "The bill says January 2008 (effective date). That's right around the corner. The governor has said we need to really merge things and we'll get some added revenue

from Lansing."

"The judge (Richard Hammer Jr.) would still be our elected judge. This would need to be approved by both councils," Dodge said.

The cost savings for a court merger can't be completely calculated at this point, Harvey said, since many decisions would have to be made by the judges, if a merger takes place.

Some assumptions can be made, however, such as not needing duplicate


"I don't want to see anyone lose their jobs, but we're being forced by the state to look at consolidation," Harvey said.

The caseload at 21st court has been decreasing for years and revenues are below expenditures. That results in the city general fund subsidizing the court operation -- last year the subsidy was more than \$250,000.

State Rep. Bob Constan (D-Dearborn Heights), whose district includes Garden City, introduced the merger bill. A similar bill introduced last year didn't make it out of committee before the legislative term ended.


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
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Office of the City Manager

March 29, 2007

State Representative Constan
N0695 House Office Building
PO Box 30014
Lansing, MI 48909-7514



MAR 30 2007

Dear Representative Constan:

I am writing to you in response to your questions in regards to the savings that would be anticipated with the merging of the 20th and 21st District Courts. Additionally, you had raised a concern in regards to the health of the retirement system that the court personnel were in.

First let me address the proposed savings. I will make some assumptions about staffing once the courts are combined, however, I would assume that both jurisdictions would allow the courts themselves to make those decisions about the number and classifications of positions that are retained. I think it's safe to say that the merger would allow the 21st District Court to discontinue any costs related to court security. Additionally, I understand that the 20th District Court has a court administrator, as does the 21st District Court. I would assume that the combined court would no longer need duplicate administrators.

Based on the low number of cases that come through the 21st District Court, I would also make the assumption that any probation functions both youth and adult would be handled by the current 20th District Court probation officers. Having said that, the combination of the cost for all those afore mentioned positions as related to the 21st District Court is \$178,740.00.

If those positions were eliminated, that would leave 6 employees not including the judge from the 21st District Court. I prefer to leave the discussion of how many clerks are needed to the respective judges after they examine their combined caseload and needs.

This is a simplistic calculation but nonetheless, a safe assumption in my estimation, once the merger has occurred. There of course are other costs and savings that we may not realize until the merger is completed.

Other items to consider are the additional amounts of time needed for the transporting of prisoners. I believe this will be minimal for the Garden City Police Department as well as 20th District Court. Both District Courts have video arraignment and I would propose that this tool be used to a further extent to keep the cost of transportation of the prisoners

down regardless of the distance from the Garden City Police Department and 20th District Court. Likewise, I'm sure there will be some expense for the physical move of the court facilities however; these expenses would be a one-time expense. Incidentally, the distance to the 20th District Court from the current facility is less than five miles.

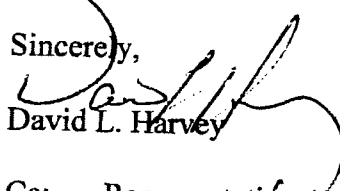
The next issue of your inquiry was in regards to the health of the retirement's system that the current 21st District Court personnel belong to. You may not be aware, but the 21st District Court employees recently left the Garden City Employee Retirement System. The Garden City Employee Retirement System is well funded and according to the last audit is 96% funded. The average public fund in the State of Michigan is approximately 86% funded. Projections for the health of the Garden City Employee Retirement System are good. The 21st District Court however, now belongs to the Michigan Employee Retirement System (MERS). Judge Hammer made this request last calendar year, which was allowable and in accordance with the intergovernmental agreement that he had with the City of Garden City in relationship to their retirement and benefits.

I do not have control or input into the MERS system however, based on a presentation made by MERS representatives approximately 6 months ago, my understanding is that the MERS system is very healthy and is funded at approximately 86%.

My belief also, is that the 20th District Court Employees are members of MERS. If so, that eases the merger of the employees who are currently in the same retirement system. Obviously, there would have to be some negotiations as far as the merging of their benefits, and if they are at different levels of pension benefits, however, it is not my understanding that the system in which the 21st District Court Employees are in is in any kind of trouble financially.

In conclusion I hope I have answered all of your questions in regards to the cost savings as well as the retirement funding issue. I would add in closing that the benefits of the merger are larger than just monetary. Both Judge Hammer and his predecessor, Judge Hammer Sr. have asked for a new facility citing security concerns and overall poor conditions of the current facility which is shared with the city government operation. In furtherance of that venture a building fund was established years ago in an attempt to raise funds for upgrades to the current facility or build a separate facility. That fund has been exhausted to balance the current fiscal year budget. This city cannot afford to build or upgrade the current facility to meet the needs of the court or the citizens. We have the opportunity to combine with a district that has a new modern facility with an available courtroom. This would accomplish what the Judge and his father have requested for many years with a positive impact to the respective budgets of both jurisdictions.

Sincerely,


David L. Harvey

Cc: Representative Andy Dillon
Mayor Jaylee Lynch



Mayor's Office

Daniel S. Paletko
Mayor

May 22, 2007

Honorable Paul Condino
House Judiciary Committee Chair
Michigan House of Representatives
Post Office Box 30014
Lansing, Michigan 48909-7514

RE: House Bill Number 4420

VIA FACSIMILE & US MAIL

Dear Representative Condino:

On May 23, 2007 the House Judiciary Committee will be considering House Bill Number 4420 proposed by 16th District Representative Bob Constan. Please read this letter as testimony in full support of the reformation of the Twentieth District Court and the abolition of the Twenty-First District Court.

Effective January 2, 2008 the City of Dearborn Heights and Garden City hope to have one unified Court by reforming the current Twentieth District Court. The reformed Court will have three judges. This reformation and unification will save all parties a significant amount of money, including the State of Michigan.

Therefore, please know that the as Mayor of the City of Dearborn Heights I fully support the passage of House Bill Number 4420.

Sincerely,

A handwritten signature in cursive script that reads "Daniel S. Paletko".

Daniel S. Paletko

cc: Bob Constan, 16th District State Representative

DSP/tlf